

IN THE UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF ARKANSAS
HOT SPRINGS DIVISION

RICHARD R. PATTON

PLAINTIFF

V.

CIVIL NO. 6:18-cv-06121

PHILLIP GLOVER and WALTER WHITE

DEFENDANTS

ORDER

The Court has received a Report and Recommendation (ECF No. 22) from United States Magistrate Judge Barry A. Bryant. Plaintiff proceeds in this 42 U.S.C. §1983 action *pro se* and in *forma pauperis* alleging his constitutional rights were violated while serving a sentence in the Arkansas Community Correction (ACC) Omega Supervision Sanction Center. Plaintiff proceeds against all Defendants in their personal and official capacities seeking punitive damages, to overturn his parole revocation, and to resume parole supervision. Defendants filed a Motion to Dismiss (ECF No. 15) under Rule 12(b)(6) of the Federal Rules of Civil Procedure arguing Plaintiff can present no set of facts which indicate that his parole revocation would not have occurred but for the alleged false statements by Defendants to the Parole Board. Plaintiff filed a Response in Opposition (ECF No. 17), and Defendants replied (ECF No. 18). Upon review, the Magistrate recommended that Plaintiff's Complaint against all Defendants be dismissed without prejudice.

No Objections to the Report and Recommendation have been filed. Plaintiff's mail, including the Report and Recommendation, was returned to the Court as undeliverable, and no new address has been supplied (ECF No. 23). The order granting Plaintiff's motion for leave to proceed in *forma pauperis* contains an express provision requiring Plaintiff to immediately inform the Court of any change of address and advising Plaintiff that any failure to do so may result in

dismissal of his case. (ECF No. 3).

Upon review, this Court finds that the Report and Recommendation is proper, contains no clear error, and is ADOPTED IN ITS ENTIRETY.

IT IS THEREFORE ORDERED that Defendants' Motion to Dismiss (ECF No. 15) should be and hereby is GRANTED;

IT IS FURTHER ORDERED that Plaintiff's Complaint against all Defendants should be and hereby is DISMISSED WITHOUT PREJUDICE.

SO ORDERED this 26th day of February 2020.

/s/Robert T. Dawson

ROBERT T. DAWSON
SENIOR U.S. DISTRICT JUDGE